



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

1 July 2021

**Meeting Location:** Room 30, Parliament Buildings, Belfast

**Present:** Mr Mervyn Storey MLA (Chairperson)

Mr Peter Weir MLA

**Present by Video or Teleconference:**

Ms Linda Dillon MLA (Deputy Chairperson)

Mr Doug Beattie MLA

Ms Sinéad Bradley MLA

Ms Jemma Dolan MLA

Mr Robin Newton MLA

Ms Rachel Woods MLA

**Apologies:** Ms Emma Rogan MLA

**In Attendance:** Mrs Christine Darrah (Assembly Clerk)

Mrs Allison Mealey (Clerical Supervisor)

Ms Sarah Preece (Clerical Officer)



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**In Attendance by Video or Teleconference:**

Mrs Clairita Frazer (Assistant Clerk)

The meeting commenced at 2:39 p.m. in open session.

**Agreed:** The Committee agreed that the oral evidence session on the Tackling Paramilitary Activity, Criminality and Organised Crime Programme should be reported by Hansard.

**1. Apologies**

As above.

The Chairperson informed the Committee that, under Standing Order 115(6), Emma Rogan MLA had delegated authority to the Deputy Chairperson, Linda Dillon MLA, to vote on her behalf.

**2. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on 24 June 2021.

**3. Matters Arising**

**Item 1 – Response from the First Minister and deputy First Minister – Justice (Sexual Offences and Trafficking Victims) Bill**

The Committee noted a response from the First Minister and deputy First Minister outlining that the Executive had agreed a revised Justice Bill for introduction to the Assembly.



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**Item 2 – Response from the Secretary of State for Northern Ireland – Troubles Permanent Disablement Payment Scheme**

The Committee considered correspondence from the Secretary of State regarding the provision of funding for the Troubles Permanent Disablement Payment (TPDP) Scheme.

The Chairperson referred to the concerns that had been raised regarding the awarding of the contract for the delivery of the TPDP Scheme to Capita given the findings of the recent report by the Public Services Ombudsman into Personal Independence Payments (PIP).

Members expressed their concern regarding the length of time taken by the Secretary of State to reply to the Committee, particularly as the information provided in his response has been in the public domain for a number of months.

The Deputy Chairperson placed on the record her view that the Executive should continue to pursue the issue of funding with the Secretary of State however this should not prevent applications being processed and payments made in the meantime.

**Agreed:** The Committee agreed to request further information from the Minister of Justice regarding the appointment of Capita to deliver the TPDP Scheme, details of the procurement process and an update on whether any further meetings had been held with or are planned to take place with the Secretary of State for Northern Ireland to discuss the funding of the Scheme payments.

**Agreed:** The Committee agreed to send a copy of the letter from the Secretary of State to the First Minister and deputy First Minister and request an update on whether any further meetings have been held or are planned to take place with the Secretary of State to discuss the funding of the Scheme payments and to clarify the Executive's position regarding accessing the New Decade New Approach funding as proposed by the Secretary of State.



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Ms Sinead Bradley joined the meeting at 2:46 p.m.

The Chairperson advised the Committee that an informal meeting with the Victims Representatives Groups on the TPDP Scheme had been arranged for Wednesday 7 July at 3:45 p.m.

**Item 3 – Consultation on the Review of Non-Fatal Strangulation Legislation**

The Committee noted additional information provided by the Department of Justice in relation to the development of the consultation document on the Review of Non-Fatal Strangulation Legislation and the consultation period.

**4. Tackling Paramilitary Activity, Criminality and Organised Crime Programme – Phase 2 from 2021 - 2024 – Oral Evidence Session**

The following officials joined the meeting at 2:51 p.m.

Ms Adele Brown, Programme Director, Tackling Paramilitary Activity, Criminality and Organised Crime Programme Team

Mr Christopher Farrington, Tackling Paramilitary Activity, Criminality and Organised Crime Programme Team

Ms Sinead Simpson, Tackling Paramilitary Activity, Criminality and Organised Crime Programme Team

Ms Brown provided an update on Phase 2 of the Programme and the funding available.

Mr Doug Beattie left the meeting at 2:56 p.m.

This was followed by a question and answer session.



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Mr Robin Newton left the meeting at 3:17 p.m.

The officials agreed to provide further information on a range of issues raised during the oral evidence session.

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

**Agreed:** The Committee agreed to write to the Minister of Justice for her position on a number of issues discussed during the session.

### **5. Protection from Stalking Bill – Update**

The Committee considered additional information provided by the Department of Justice in relation to the Domestic Abuse Disclosure Scheme, programmes available for perpetrators of stalking, the provision of information on legislation for people with disabilities and in particular blind people, the scope of Clause 1(4) and the Department's position in relation to extending special measures to civil and family proceedings.

**Agreed:** The Committee agreed to forward the response from the Department on the Domestic Abuse Disclosure Scheme to the Women's Policy Group NI, who had raised the matter.

### **6. Protection from Stalking Bill – Research Paper on Online Trolling and Abuse**

The Committee considered a research paper on Online Trolling and Abuse that it had commissioned from Assembly Research Services in the context of the Protection from Stalking Bill and the prevalence of online abuse more widely and commended the Assembly Researcher for a very detailed and useful paper.



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**Agreed:** The Committee agreed to seek clarification from the Department of Justice regarding the need for specific legislative provision for online offences that are already criminal offences offline and whether there are any legislative gaps in other pieces of legislation.

### **7. Justice (Sexual Offences and Trafficking Victims) Bill**

The Committee considered correspondence from the Department of Justice and the Minister of Justice providing information on the content of the re-drafted Justice Bill, now titled the Justice (Sexual Offences and Trafficking Victims) Bill, a number of planned amendments the Minister intends to continue to develop in relation to the Bill and her intention to introduce the Bill to the Assembly next week.

The Committee noted further information provided by the National Society for the Prevention of Cruelty to Children (NSPCC) on the position and recent developments in England and Wales and other relevant jurisdictions in relation to its 'Close the Loophole' campaign to extend the Abuse of Trust legislation.

**Agreed:** The Committee agreed to ask the Department for details of the policy to be covered by each of the four amendments she plans to bring forward in relation to the Bill and the wording of the amendments if available, to enable the Committee to include this information in its Call for Evidence to assist its scrutiny of the legislation.

**Agreed:** The Committee agreed to consider proposals to call for evidence on the Bill following its introduction to the Assembly given the limited time until the end of the mandate.

### **8. SR 2021/155 The Proceeds of Crime Act 2002 (Application of PACE (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2021**

The Committee considered SR 2021/155 The Proceeds of Crime Act 2002 (Application of PACE (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2021 which amends the Proceeds of Crime Act 2002 (Application of the Police and Criminal Evidence (Northern Ireland) Order 1989) Order (Northern



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Ireland) 2016 to include two new types of investigation introduced by the Criminal Finances Act 2017 to support new powers of forfeiture of listed assets and forfeiture of money held in an account maintained in a bank or building society.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

**Agreed:** The Committee considered SR 2021/155: The Proceeds of Crime Act 2002 (Application of PACE (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2021 and had no objection to the Rule.

### **9. SL1: The Making Available on the Market and Supervision of Transfers of Explosives (Amendment) (EU Exit) Regulations (Northern Ireland) 2021**

The Committee considered a proposal for a Statutory Rule, which is subject to the draft affirmative resolution procedure, to amend the “Making Available on the Market and Supervision of Transfers of Explosives 2016 Regulations” to maintain Northern Ireland’s alignment with EU Directive 2014/28/EU and ensure that the UK/NI meets its obligations under the Ireland/Northern Ireland Protocol to the Withdrawal Agreement and to introduce provisions with regards to the UK(NI) indication.

**Agreed:** The Committee agreed to request a paper from the Department of Justice clarifying the positions in relation to GB and to Northern Ireland with regard to this proposed Statutory Rule and the making available on the market and supervision of explosives for civil uses.

### **10. SL1: Amendment to Rule 22A of the Parole Commissioners’ (Amendment) Rules (Northern Ireland) 2021**

The Committee considered a proposal for a Statutory Rule, which is subject to the negative resolution procedure, to make it clear that the process to provide a summary of reasons for decisions can be undertaken by a single Commissioner to ensure value for money in relation to the transactional costs.



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**Agreed:** The Committee agreed that it was content with the proposal for the Statutory Rule.

### **11. Department of Justice 2021-22 June Monitoring Round and 2020-21 Provisional Outturn - Update**

The Committee considered further information provided by the Department of Justice on the bids for and outcome of the 2021-22 June Monitoring Round and the 2020-21 Provisional Outturn and noted that DEL pressures of almost £29 million would be kept under review.

**Agreed:** The Committee agreed to ask the Department of Justice for an assessment of the likely financial challenges for the rest of the year given the extent of the current DEL pressures.

### **12. Court Approval of Minor Settlements – Proposed Consultation**

The Committee considered information provided by the Department of Justice on a proposed public consultation on whether there is a need for legislation to require court approval for all legal cases involving an award of damages to minors and the form the legislation may take.

**Agreed:** The Committee agreed that it was content for the consultation to take place and it would consider the matter further when the results and proposed way forward are available.





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### **13. Support Services for Operational Prison Staff and Retired Staff – Update on Progress to deliver Review Recommendations**

The Committee considered an update provided by the Department of Justice on progress to deliver the recommendations arising from the Reviews of Support Services for Operational Prison Staff' and Support Services for Retired Staff.

**Agreed:** The Committee agreed to request confirmation that the capital funding requirements identified by the Police Retraining and Rehabilitation Trust had been met by the Department following the June Monitoring Round.

### **14. Committee Forward Work Programme – September 2021**

The Committee considered a list of items of business that the Department of Justice wished it to consider during September 2021.

**Agreed:** The Committee agreed to schedule the work items requested by the Department on the dates indicated.

The Chairperson reminded Members that Judge Marrinan would be attending the meeting on 8 July to discuss the findings and recommendations of his Review of Hate Crime Legislation in Northern Ireland. Given the report is substantial and covers a wide range of issues Judge Marrinan had asked if there were any particular areas he should cover in his opening remarks.

**Agreed:** The Committee agreed that Members should notify the Clerk of any particular areas they would like Judge Marrinan to address in his opening remarks on 8 July 2021.



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## 15. Correspondence

- i. The Committee considered the Call for Evidence from the Committee for Finance on the Financial Reporting (Departments and Public Bodies) Bill.

**Agreed:** The Committee agreed to request the views and comments of the Department of Justice on the clauses in the Bill relevant to its responsibilities and any likely implications.

The Committee noted the following:

- ii. A copy of a response from the Department of Justice to the Committee for Health regarding concerns about protests outside premises providing abortion services and the impact of these protests on patients and staff.
- iii. Notification from the Department of Justice that the Minister of Justice had issued an authorisation under the Agency Arrangements agreed with the Secretary of State for Northern Ireland under section 29 and section 32 of the Justice and Security (NI) Act 2007 to enable the police to possess land at Springfield Road, Belfast for an effective policing operation on 26 June 2021.
- iv. Notification from the Department of Justice of the publication of an Official Statistics Bulletin on 'Court Prosecutions, Convictions and Out of Court Disposals Statistics for Northern Ireland 2020'.
- v. Notification from the Department of Justice of the publication of the Northern Ireland Courts and Tribunals Service Judicial Statistics 2020.
- vi. Notification from the Department of Justice of the publication of a National Statistics Bulletin, 'Perceptions of Policing and Justice: Findings from the 2019-20 Northern Ireland Safe Community Survey'.



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- vii. Notification from the Northern Ireland Judicial Appointments Commission of the appointment of a new County Court Judge in Northern Ireland on 28 June 2021.
- viii. The Police Rehabilitation and Retraining Trust Annual Report and Accounts for year ended 31 March 2021.
- ix. A report from the Northern Ireland Audit Office on its coverage of the Department of Justice and its Corporate Plan for 2021-24.
- x. The Investment Strategy Northern Ireland – Department of Justice’s Procurement Activity Report - June 2021.

### **16. Chairperson’s Business**

#### **Item 1 – Response from the Lady Chief Justice**

The Committee noted correspondence from the newly appointed Lady Chief Justice in Northern Ireland and the Chairperson advised that he was looking forward to engaging with her once she has taken up post.

#### **Item 2 - Informal Meeting on the Proposals for a Secure Care and Justice Campus for Children and Young People**

The Chairperson advised Members that the informal meeting with a range of Children’s organisations on the proposals for a Secure Justice and Care Campus for children and young people would take place on Monday 5 July at 12 noon via Microsoft Teams.



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**17. Any Other Business**

None.

**18. Date, Time and Place of the next meeting**

The next meeting will be held on Thursday 8 July 2021 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 4:31 p.m.

**Mervyn Storey MLA**  
**Chairperson, Committee for Justice**  
**8 July 2021**